

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.12364 OF 2022

**QUAZI ILYAS QUAZI ISHAQUE
VERSUS
THE STATE OF MAHARASHTRA THROUH ITS
SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Shri Patil V.C.
AGP for Respondents 1 and 2 : Shri S.K. Tambe
...

**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 07th December, 2022

Per Court :-

1. The petitioner's father passed away on 04.03.2015. On 05.03.2015, in less than 24 hours, the Management appointed the petitioner as a peon on compassionate basis. His proposal for seeking an approval was tendered after three years on 15.10.2018. The same is pending at the doorstep of the Education Officer (Secondary), Zilla Parishad, Beed. The petitioner seeks approval even to his transfer from unaided to aided category.
2. The learned AGP submits that when the petitioner's very appointment is yet to be approved, there cannot be a direction that his transfer from unaided to aided category, be

approved.

3. In view of the above, this Writ Petition is disposed off.

4. We expect respondent No.2 to decide the pending proposal dated 15.10.2018, on its own merits and after considering the entire record, on or before 15.01.2023. The fact that the petitioner is appointed on compassionate basis, shall be considered. In the event of a favourable order being passed, further pending proposal may also be decided by the Education Officer.

kps

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)